

Sullivan, J

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 VIGILANT INSURANCE COMPANY,

4 Plaintiff,

5 vs.

6 YANG MING LINE; YANG MING  
7 (AMERICA) CORP.; MAHER  
8 TERMINALS LLC, POL LOGISTICS  
and DOES 1 through 10, inclusive,

9 Defendants.

CIVIL ACTION NO. 07 Civ. 9566 (RJS)

STIPULATION TO TRANSFER  
THE WITHIN ACTION TO THE  
DISTRICT COURT OF NEW  
JERSEY PURSUANT TO 28 U.S.C.  
SECTION 1404(a); ORDER  
THEREON [~~Proposed~~]

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11 WHEREAS, this is an action for damage to cargo brought under  
12 the Court's Admiralty and Maritime jurisdiction pursuant to 28 U.S.C. Section  
13 1333 and Federal Rules of Civil Procedure Rule 9(h);

14 WHEREAS, this action involves a shipment of cargo from Hatfield,  
15 Pennsylvania to Taipei, Taiwan via Port Elizabeth, New Jersey;

16 WHEREAS, the within action could have been brought in the New Jersey  
17 District Court;

18 WHEREAS, Defendant MAHER TERMINALS LLC is the only defendant  
19 to have appeared in this action, with MAHER objecting to this court's jurisdiction  
20 over it;

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1 THEREFORE, IT IS HEREBY STIPULATED by Plaintiff VIGILANT  
 2 INSURANCE COMPANY and appearing defendant MAHER TERMINALS LLC,  
 3 through their respective counsel, that the within action be transferred to the New  
 4 Jersey District Court pursuant to 28 U.S.C. Section 1404(a) for the convenience of  
 5 the parties and witnesses and in the interest of justice.

6  
 7 Dated: January 23, 2008

CAMMARANO & SIRNA, LLP

8  
 9 By: 

Dennis A. Cammarano  
 Attorneys for Plaintiff  
 VIGILANT INSURANCE COMPANY

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 11  
 12 Dated: January 22, 2008

KENNY, STEARNS & ZONGHETTI, LLC

13  
 14 By: 

James M. Kenny  
 Attorneys for Defendant  
 MAHER TERMINALS, LLC

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 17  
 18 **PRELIMINARY ORDER**

19 Good cause having been shown, the Court hereby approves the  
 20 foregoing stipulation of the parties and orders that the within action be transferred  
 21 to the District Court New Jersey, where the within action might have been brought  
 22 pursuant to 28 U.S.C. Section 1404(a).

23  
 24 Dated: January 31, 2008

  
 United States District Court Judge

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 27 2719SupTransfer  
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